

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TERRY EZELL,

Plaintiff,

v.

SHAWNA MCCANN,

Defendant.

Case No. C23-729RSM

MINUTE ORDER

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, United States District Judge: This case is closed. It was closed for failure to timely serve Defendant, for failure to respond to the Court's Order to Show Cause, and for numerous other procedural issues.

On November 21, 2023, the Court received a manilla envelope ostensibly from Plaintiff Ezell with a new Complaint and a Praecipe to issue summons. Dkt. #28. The Court interpreted it as a proposed Amended Complaint and filed it in this case, in part because it was filed without a cover sheet or filing fee, and in part because it appeared identical to the Complaint already filed in this case. The Court has now reviewed it further and determined that it is not merely identical but is in fact a modified photocopy of the Complaint at Dkt. #1. The Court does not know who

1 mailed this document, but the signature of Mr. Ezell at the end of the Complaint is a photocopy
2 of the signature in the original Complaint, and the new Complaint is undated. It appears someone
3 covered up the date line when the photocopy was made. This new Complaint is undated. Several
4 other pages are identical photocopies of the original Complaint.

5 The address of Mr. Ezell has been an issue in this case. Mr. Ezell is an inmate at FCI
6 Sheridan. *See* Dkt. #26. He has requested that the Court communicate with him at a different
7 address, in Renton. *Id.* The new Complaint was sent from that address. The Court concludes
8 that it was mailed by a friend or family member without Mr. Ezell's review and signature.

9 The Court will not accept filings submitted by a non-attorney without the Plaintiff's
10 review and signature. *See* Fed. R. Civ. P. 11(a). The Court will not open a new case with a
11 photocopy of the original Complaint, modified to deceive the Court. Given all of the above, the
12 Court STRIKES the latest filing from Plaintiff, Dkt. #28. The Court advises Mr. Ezell to review
13 the procedures for pro se parties to open a lawsuit available on the Court's website,
14 <https://www.wawd.uscourts.gov/representing-yourself-pro-se>.
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19 DATED this 27th day of November, 2023.

20 RAVI SUBRAMANIAN, Clerk

21 By: /s/ Serge Bodnarchuk
22 Deputy Clerk
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